

FORM PTO-1390 (REV. 9-2001)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER 089780-000000US
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371			U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/089,396
INTERNATIONAL APPLICATION NO. PCT/AT 00/00259	INTERNATIONAL FILING DATE October 2, 2000	PRIORITY DATE CLAIMED October 1, 1999	
TITLE OF INVENTION METHOD FOR GENERATING THERMAL ENERGY FROM FINE-GRAINED OILSEEDS, PREFERABLY FROM RAPESEED, AND A DEVICE FOR CARRYING OUT SAID METHOD			
APPLICANT(S) FOR DO/EO/US Johann KUEBEL			
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:			
<p>1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 36 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31).</p> <p>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 37(c)(2))</p> <p style="margin-left: 20px;">a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</p> <p style="margin-left: 20px;">b. <input type="checkbox"/> has been communicated by the International Bureau</p> <p style="margin-left: 20px;">c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <p style="margin-left: 20px;">a. <input type="checkbox"/> is attached hereto.</p> <p style="margin-left: 20px;">b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p style="margin-left: 20px;">a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</p> <p style="margin-left: 20px;">b. <input type="checkbox"/> have been communicated by the International Bureau.</p> <p style="margin-left: 20px;">c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</p> <p style="margin-left: 20px;">d. <input type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p> <p><b>Items 11 to 20 below concern document(s) or information included:</b></p> <p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A <b>FIRST</b> preliminary amendment.</p> <p>14. <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 – 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published international application under 36 U.S.C.</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items or information:</p> <p>Power of Attorney</p>			

05/05/2002 LLANDGRA 00000087 201430 10089396

01 FEB 2004 65.00 CH

I/S/ Application no. (if known, see 37 CFR 1.5)	INTERNATIONAL APPLICATION NO. PCT/AT 00/00259	ATTORNEY'S DOCKET NUMBER 089780-000000US
---	--	---

<b>21. <input checked="" type="checkbox"/> The following fees are submitted:</b> <b>BASIC NATIONAL FEE (37 CFR 1.492(A) (1) – (5)):</b> Neither international preliminary examination fee (37 CFR 1.492) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO .....\$1040.00  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search report prepared by the EPO of JPO .....\$890.00  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO .....\$740.00  International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) .....\$710.00  International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)(4) .....\$100.00  <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b> Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)). <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:20%;">CLAIMS</th> <th style="width:20%;">NUMBER FILED</th> <th style="width:20%;">NUMBER EXTRA</th> <th style="width:20%;">RATE</th> <th style="width:20%;">\$</th> </tr> <tr> <td>Total claims</td> <td>22 - 20 =</td> <td>2</td> <td>x \$18.00</td> <td>\$</td> </tr> <tr> <td>Independent claims</td> <td>1 - 3 =</td> <td></td> <td>x \$84.00</td> <td>\$</td> </tr> <tr> <td colspan="4">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td>+ 280.00 \$</td> </tr> <tr> <td colspan="4"><b>TOTAL OF ABOVE CALCULATIONS =</b></td> <td>\$</td> </tr> <tr> <td colspan="4"><input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.</td> <td>+</td> </tr> <tr> <td colspan="4"><b>SUBTOTAL =</b></td> <td>\$</td> </tr> <tr> <td colspan="4">Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFT 1.492(f)).</td> <td>\$65.00</td> </tr> <tr> <td colspan="4"><b>TOTAL NATIONAL FEE =</b></td> <td></td> </tr> <tr> <td colspan="4">Fee for recording the enclosed assignment (37 CFR 1.2(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property</td> <td>+</td> </tr> <tr> <td colspan="4"><b>TOTAL FEES ENCLOSED =</b></td> <td>\$65.00</td> </tr> <tr> <td colspan="4"></td> <td><b>Amount to be refunded:</b> \$</td> </tr> <tr> <td colspan="4"></td> <td><b>charged:</b> \$</td> </tr> </table>	CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	Total claims	22 - 20 =	2	x \$18.00	\$	Independent claims	1 - 3 =		x \$84.00	\$	MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ 280.00 \$	<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$	<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				+	<b>SUBTOTAL =</b>				\$	Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFT 1.492(f)).				\$65.00	<b>TOTAL NATIONAL FEE =</b>					Fee for recording the enclosed assignment (37 CFR 1.2(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	<b>TOTAL FEES ENCLOSED =</b>				\$65.00					<b>Amount to be refunded:</b> \$					<b>charged:</b> \$	<b>CALCULATIONS PTO USE ONLY</b>
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$																																																														
Total claims	22 - 20 =	2	x \$18.00	\$																																																														
Independent claims	1 - 3 =		x \$84.00	\$																																																														
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ 280.00 \$																																																														
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$																																																														
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				+																																																														
<b>SUBTOTAL =</b>				\$																																																														
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFT 1.492(f)).				\$65.00																																																														
<b>TOTAL NATIONAL FEE =</b>																																																																		
Fee for recording the enclosed assignment (37 CFR 1.2(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+																																																														
<b>TOTAL FEES ENCLOSED =</b>				\$65.00																																																														
				<b>Amount to be refunded:</b> \$																																																														
				<b>charged:</b> \$																																																														

a. ☐ A check in the amount of \$\_\_\_\_\_ to cover the above fees is enclosed.

b. ☒ Please charge my Deposit Account No. 20-1430 in the amount of \$65.00 to cover the above fees.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 20-1430. A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:

J. Georg Seka  
Townsend and Townsend and Crew, LLP  
Two Embarcadero Center, Suite 800  
San Francisco, CA. 94111-3834

*J. Georg Seka*  
SIGNATURE

08/26/02  
DATE

J. Georg Seka  
NAME

24,491  
REGISTRATION NUMBER

PCT/PTO 05 SEP 2002

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

PATENT  
Attorney Docket No.: 084314-000000US

#6

Box Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

On 8/26/02

TOWNSEND and TOWNSEND and CREW LLP

By: London Arch

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

JOHANN KUEBEL

Application No.: 10/089,396

Filed: March 29, 2002

For: METHOD FOR GENERATING  
THERMAL ENERGY FROM FINE-  
GRAINED OILSEEDS, PREFERABLY  
FROM RAPESEED, AND A DEVICE  
FOR CARRYING OUT SAID METHOD

Art Unit:

RESPONSE TO NOTIFICATION OF  
MISSING REQUIREMENTS UNDER 35  
U.S.C. 371 IN THE UNITED STATES  
DESIGNATED/ELECTED OFFICE  
(DO/EO/US)

Box Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:


In response to the NOTIFICATION OF MISSING REQUIREMENTS UNDER  
35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)  
dated June 26, 2002, applicant submits herewith:

- 1) A fully executed Declaration
- 2) Power of Attorney or Authorization of Agent
- 3) RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS  
UNDER 35 U.S.C. 371 IN THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)

Please charge the fees as set forth on attached Form PTO-1309 and any  
additional fees under 35 U.S.C. 371 associated with this paper or otherwise required during the  
pendency of this application, and credit any overpayment to the Deposit Account No. 20-1430  
of the undersigned.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,

  
J. Georg Seka  
Reg. No. 24,491

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, 8<sup>th</sup> Floor  
San Francisco, California 94111-3834  
Tel: (415) 576-0200  
Fax: (415) 576-0300  
JGS/lle  
SF 1379596 v1



UNITED STATES PATENT AND TRADEMARK OFFICE

089780-000000US JGS

 Commissioner for Patents, Box PCT  
 United States Patent and Trademark Office  
 Washington, D.C. 20231  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/089,396	Johann Kuebel	089780-000000US

INTERNATIONAL APPLICATION NO.
PCT/AT00/00259

I.A. FILING DATE	PRIORITY DATE
10/02/2000	10/01/1999

J Georg Seka  
 Townsend and Townsend and Crew  
 Two Embarcadero Center  
 Suite 800  
 San Francisco, CA 94111-3834

CONFIRMATION NO. 4760

371 FORMALITIES LETTER



\*OC000000008345592\*

Date Mailed: 06/26/2002

*Response Due 8/26/02 53F*

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Indication of Small Entity Status
- Priority Document
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Oath or Declaration
- Preliminary Amendments
- Request for Immediate Examination
- Small Entity Statement

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$65 Surcharge for providing the oath or declaration later than the appropriate 30 months months from the priority date (37 CFR 1.492(e)) is required.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE**

OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

BARBARA A CAMPBELL

Telephone: (703) 305-3631

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/089,396	PCT/AT00/00259	089780-000000US

FORM PCT/DO/EO/905 (371 Formalities Notice)